

# Death Investigation

## 328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

## 328.2 POLICY

It is the policy of the Easton Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, investigated and properly documented.

## 328.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed.)

The Criminal Investigation Division (CID) will be notified of all death investigations and are responsible for the investigation of all deaths in Easton, other than those suffered as a result of a motor vehicle accident.

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor shall notify the Criminal Investigations Unit Division Commander. The Shift Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

### 328.3.1 REPORTING

All incidents involving a death shall be documented on the appropriate Criminal or Incident Report form.

### 328.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires the Medical Examiner and the States Attorney for the County where the body was found be notified and given the known facts concerning the time, place, manner and circumstances of the death in any of the following cases (Md. Code HG § 5-309:)

- (a) If the death occurred:
  - 1. By violence.
  - 2. By suicide.

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3. By casualty.
  4. Suddenly, if the deceased was in apparent good health or unattended by a physician.
  5. In any suspicious or unusual manner.
- (b) If the death of a human fetus:
1. Occurred before the complete expulsion or extraction of the fetus from the mother when the mother was not attended by a physician at or after the delivery, regardless of the duration of the pregnancy.

#### 328.3.3 DEATH AND MURDER SCENE SEARCHES

The crime scene shall be preserved until all examinations have been conducted in an effort to determine the circumstances of death.

Responding officers:

- (a) May enter a dwelling or building without a search warrant for the purpose of:
  1. Searching for and locating the victims and summoning medical aid, if necessary.
  2. Locating deceased victims and taking the necessary steps to prevent the loss or destruction of any evidence.
  3. Searching for and detaining any assailants that may still be on the premises.
- (b) Must stop their search once the victim and/or assailants are located and the scene has been rendered secure. Further searches must be done with consent or by search warrant.
- (c) Vacate and secure the scene.
- (d) Establish an inner perimeter.
- (e) Notify the shift supervisor.

#### 328.3.4 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant,

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the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.

- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

#### **328.3.5 SUSPECTED HOMICIDE**

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigations Unit shall be notified to respond to the scene.

If the Shift Supervisor or Criminal Investigations Unit supervisor is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

#### **328.3.6 EMPLOYMENT-RELATED DEATHS OR INJURIES**

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

#### **328.4 UNIDENTIFIED DEAD BODY**

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

#### **328.5 DEATH NOTIFICATION**

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

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